

Applicant : James P. Koch
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Page : 9 of 9

Attorney's Docket No.: 01996-005001

REMARKS

Applicant first wishes to thank the Examiner for the courteous telephone interview conducted on April 24, 2003.

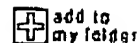
During the interview, the Examiner noted that the rejection under 35 U.S.C. §112, second paragraph, which will be discussed below, is also relevant to the patentability of the claims over the prior art. The Examiner explained that if Applicant would brief the Examiner concerning the meaning of the term "exocervix," the Examiner would then give patentable weight to the phrase "a rim member dimensioned to fit a patient's exocervix," and would reconsider the prior art rejections.

The Examiner has rejected claims 1-3, 5-6, 8-17, 19-36, 39-50 and 57-59 under 35 U.S.C. §112, second paragraph. The Examiner states that "it is not clear as to what the exocervix is."

The term "exocervix" is defined in U.S. Patent No. 6,130,538 as follows: "the exocervix is the portion of the cervix that protrudes into the vagina and is lined with stratified squamous epithelium" (col. 3, lines 56-58). This definition is confirmed by the attached pages from the online Dorland's Medical Dictionary (available at www.mercksource.com under "Health Library"). The term "exocervix" is well known in the medical field, and is used in a number of patents relating to medical devices, e.g., U.S. Patent No. 6,346,086.

Applicant's claims have been rejected as unpatentable over various combinations of Lipfert, Shields and Goepp, and certain claims have been rejected as anticipated by Goepp. Each of Applicant's independent claims includes the phrase "a rim member dimensioned to fit a patient's exocervix." This feature is neither taught nor suggested by any of the cited references, and thus Applicant respectfully requests that these rejections be withdrawn.

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<< Previous

A-B | C-D | E-F | G-H | I-J | K-L | M-N | O-P | Q-
R | S-T | U-V | W-X | Y-Z

Next >>

E

exesion — extortor

exesion (ex-e-sion) (eg-ze'zh[schwa]n) [L. *exedere* to eat out] the gradual destruction of superficial parts of a tissue.

exfetation (ex-fe-ta-tion) (eks"fe-ta'sh[schwa]n) [ex- + L. *fetus*] ectopic or extrauterine pregnancy.

exflagellation (ex-flag-el-la-tion) (eks-flaj"[schwa]-la'sh[schwa]n) [ex- + L. *flagellum*] the rapid formation in the gut of the insect vector of microgametes from the microgamont in *Plasmodium* and certain other sporozoan protozoa.

exfoliatin (ex-fo-li-a-tin) (eks-fo"le-a'tin) [ex- + L. *folium* leaf] an erythrocytic, epidermolytic, heat-stable, acid-labile exotoxin produced by certain strains of *Staphylococcus aureus* (phage group II), which causes intraepidermal separation by disturbing the adhesive forces between cells in the stratum granulosum to give rise to the clinical manifestations of the scalded skin syndrome. Called also *epidermolysin*.

exfoliatio (ex-fo-li-a-tio) (eks"fo-le-a'she-o) [L., from *ex* away from + *folium* leaf] exfoliation.

exfoliatio area'ta lin'guae, benign migratory glossitis.

exfoliation (ex-fo-li-a-tion) (eks-fo"le-a'sh[schwa]n) [L. *exfoliatio*] 1. a falling off in scales or layers. 2. the normal loss of deciduous teeth following loss of their root structure.

lamellar exfoliation of newborn, see *collodion baby*, under *baby*.

exfoliative (ex-fo-li-a-tive) (eks-fo"le-[schwa]-tiv") characterized by exfoliation.

exhalation (ex-ha-la-tion) (eks'h[schwa]-la'sh[schwa]n) [L. *exhalatio*, from *ex* out + *halare* to breathe] 1. the act of breathing out. 2. the giving off of watery or other vapor; see also *effluvium*. 3. a vapor or effluvium that is exhaled or given off. Defs. 1, 2, and 3 called also *expiration*.

exhale (ex-hale) (eks'h[amacr]l) [ex- + L. *halare* to breathe] 1. to expel from the lungs by breathing. 2. to give off a watery or other vapor. Defs. 1 and 2 called also

exhaustion (ex-haus-tion) (eg-zaws'ch[schwa]n) [ex- + L. *haurire* to drain] 1. a state of extreme mental or physical fatigue. 2. the state of being drained, emptied, consumed, or used up.

heat exhaustion, an effect of excessive exposure to heat, occurring among workers in hot places such as furnace rooms and foundries and sometimes in those under prolonged exposure to the sun's heat. It is marked by subnormal temperature, with dizziness, headache, nausea, and sometimes delirium or collapse. Distinguished from *heat stroke* and *sunstroke*, in which the body temperature may be dangerously elevated. Called also *heat prostration*.

Exhib. (Exhib.) abbreviation for *L. exhibetur*, let it be given.

exitus pel'vis, apertura pelvis inferior.

exocardia (exo-car-dia) (ek''so-kahr'de-[schwa]) ectocardia.

exocarp (exo·carp) (ek'so-kahrp) the outer layer of the pericarp of a flower.

exocataphoria (exo·cata·pho·ria) (ek'so-kat'[schwa]-for'e-[schwa]) [exo- + *cataphoria*] a phoria in which the visual axes turn downward and outward.

exocoel (exo·cele) (ek'so-s[emacr]l) extraembryonic coelom.

exocellular (exo·cel·lu·lar) (ek'so-sel'u-l[schwa]r) external to the cell membrane, yet still attached, e.g., flagella, capsule.

exocervix (exo·cer·vix) (ek'so-s[schwa]r'viks) portio vaginalis cervicis.

exochorion (exo·cho·ri·on) (ek'so-kor'e-on) that part of the chorion which is derived from the ectoderm, as in those species in which extraembryonic membranes form by folding.

exocoelom (exo·coe·lom) (ek'so-se'l[schwa]m) [exo- + *coelom*] extraembryonic coelom.

exocoeloma (exo·coe·lo·ma) (ek'so-se-lo'm[schwa]) extraembryonic coelom.

exocolitis (exo·co·li·tis) (ek'so-ko-li'tis) [exo- + *colitis*] inflammation of the outer coat of the colon.

exocrine (exo·crine) (ek'so-krin) [exo- + Gr. *krinein* to separate] 1. secreting outwardly, via a duct; Cf. *endocrine*. 2. denoting such a gland or its secretion. See also under *gland*.

exocrinology (exo·cri·nol·o·gy) (ek'so-kr[ibreve]-nol'[schwa]-je) the study of substances secreted externally by individual organisms which effect integration of a group of organisms.

exocrinosity (exo·cri·nos·i·ty) (ek'so-kr[ibreve]-nos'[ibreve]-te) the quality or state of secreting externally.

exocuticle (exo·cu·ti·cle) (ek'so-ku't[ibreve]-k[schwa]l) [exo- + L. *cuticula*] the outer layer of the procuticle of certain crustaceans and arthropods, which contains cuticulin, chitin, and phenolic substances that are oxidized to produce the dark pigment of the cuticle.

exocyclic (exo·cyc·lic) (ek'so-sik'lik) denoting one or more atoms attached to a ring structure but outside it.

exocytosis (exo·cy·to·sis) (ek'so-si-to'sis) 1. the discharge from a cell of particles that are too large to diffuse through the wall; the opposite of endocytosis. 2. the aggregation of migrating leukocytes in the epidermis as part of the inflammatory response.

exodeoxyribonuclease (exo·de·oxy·ri·bo·nu·cle·ase) (ek'so-de-ok'se-ri'bo-noo'kle-[amacr]s) [EC 3.1.11] any of a sub-subclass of enzymes of the hydrolase class that catalyze the hydrolysis of terminal bonds of deoxyribonucleic acids, releasing mononucleotides.

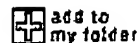
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R | S-T | U-V | W-X | Y-Z

Next >>

P

porte-aiguille — positron

porte-aiguille (porte-ai-guille) (port"á-gwe') [Fr.] a surgeon's needle holder.

portepolisher, porte-polisher (porte-pol-ish-er, porte-pol-ish-er) (port-pol-ish-[schwa]r) a hand instrument constructed to hold a wooden point, to be used in a dental engine for applying polishing paste to and burnishing teeth.

Porter (Port-er) (port[schwa]r) Rodney Robert. British biochemist, 1917–1985; co-winner, with Gerald Maurice Edelman, of the Nobel prize for physiology or medicine in 1972, for his work on the chemical structure of antibodies, producing the Fc (fragment crystallizable) and the Fab (fragment antigen-binding) portions using pepsin.

Porter's sign (Porter's sign) (port[schwa]rz) [William Henry Porter, Irish physician, 1790–1861] tracheal tugging; see under *tugging*.

Porter-Silber chromogens, reaction (Port-er-Sil-ber chromogens, reaction) (port[schwa]r sil'b[schwa]r) [Curt Culwell Porter, American biochemist, born 1914; Robert Howard Silber, American biochemist, born 1915] see under *chromogen* and *reaction*.

Porteus maze test (Porte-us maze test) (porte-[schwa]s) [Stanley David Porteus, Australian-born psychologist in United States, 1883–1972] see under *test*.

portio (por-tio) (por'she-o) [TA] pl. *portio nes* [L.] portion; in anatomical nomenclature, a term used for a division of a larger structure. See also *pars* and *part*.

portio supravagina'lis cer'vicis, [TA] supravaginal portion of cervix: the part of the cervix uteri that does not protrude into the vagina.

portio vagina'lis cer'vicis, [TA] vaginal portion of cervix: the part of the cervix uteri that protrudes into the vagina and is lined with stratified squamous epithelium; called also *ectocervix* and *exocervix*.

portion (por-tion) (por'sh[schwa]n) a part or division of a larger structure; called also *portio* [TA], *part*, and *pars*.

portiones (por-ti-o-nes) (por'she-o'n[emacr]z) [L.] plural of *portio*.